

SEP. 25 '03 (THU) 15:53

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PATENT

RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED  
PROCEDURE - EXAMINING GROUP 1648

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.: 09/719,340 Confirmation No.: 7175  
Applicant(s): Kappes *et al.*  
Filed: 6/23/99  
Art Unit: 1648  
Examiner: S. Foley  
Title: CELL-BASED METHOD AND ASSAY FOR MEASURING THE  
INFECTIVITY AND DRUG SENSITIVITY OF IMMUNODEFICIENCY  
VIRUS

Docket No.: 044276/209251  
Customer No.: 00826

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL ACTION  
PURSUANT TO 37 C.F.R. § 1.116**

Sir:

In response to the Final Office Action dated March 26, 2003, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims beginning on page 3 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

#21  
Req RCE filing  
10/11/03  
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<b>REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: <b>MAIL STOP RCE COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450</b>  (Revised 01/2003)	Application Number 09/719,340	SEP 26 2003
	Filing Date 6/23/99	
	First Named Inventor: Kappes <i>et al.</i>	
	Art Unit: 1648	
	Examiner Name: S. Foley	
	Confirmation No.: 7175	
	Attorney Docket No. 044276/209251	
This is a request for <u>Continued Examination (RCE)</u> under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.		

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendments(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavits(s)/Declarations(s)
- iii. ☐ Information Disclosure Statement (IDS); of cites listed on PTO Form 1449
- iv. ☒ Other: Request for Three Month Extension of Time

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other

In re: Kappes  
Appl. No.: 09/719,340  
Filed: 9/25/03  
Page 2

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments to Deposit Account No. 16-0605.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)  
(\$750.00 large entity; \$375.00 small entity)
- ii. ☐ Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$\_\_\_ enclosed

Respectfully submitted,

*Kelly J. Williamson*

Kelly J. Williamson  
Patent Agent  
Registration No. 47,179

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CERTIFICATION OF FACSIMILE TRANSMISSION	CERTIFICATE OF MAILING
<p>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. 703-872-9307 on the date shown below.</p> <p><i>Pamela Lockley</i> 9/25/03 Pamela Lockley Date</p>	<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 25, 2003</p>

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